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NORTHERN DISTRICT OF CALIFORNIA**

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1 **JOINT STIPULATION AND [PROPOSED] ORDER RE: HEARING DATES**

2 Whereas, the hearing on (a) Plaintiffs' Motion for Summary Adjudication of Defendants' Affirmative
3 Defense Raising the Act of State Doctrine and (b) Defendants' Renewed Motion for the Court to Request
4 the Views of the United States on the Impact of Adjudication of this Lawsuit on Foreign Relations with
5 Nigeria is currently set to be heard in this Court on February 3, 2006; and

6 Whereas, as part of Defendants' Opposition to Plaintiffs' Motion for Summary Adjudication,
7 Defendants submitted a Cross-Motion for Summary Judgment on the Act of State Doctrine and noticed that
8 Motion for February 3, 2006; and

9 Whereas, Plaintiffs believe they are entitled to more than one week to respond to Defendants' Cross
10 Motion and Defendants have agreed to afford Plaintiffs additional time to respond; and

11 Whereas, the Plaintiffs and Defendants agree that, in the interests of judicial economy all of these
12 motions should be heard together,

13 The Plaintiffs and Defendants hereby jointly stipulate that:

14 1. Argument will be set for March 3, 2006 at 9:00 A.M. on (a) Plaintiffs' Motion for Summary
15 Adjudication of Defendants' Affirmative Defense Raising the Act of State Doctrine (b) Defendants' Cross-
16 Motion for Summary Judgment on the Act of State Doctrine and (c) Defendants' Renewed Motion for the
17 Court to Request the Views of the United States on the Impact of Adjudication of this Lawsuit on Foreign
18 Relations with Nigeria.

19 2. Plaintiffs will submit their Reply in Support of their Motion for Summary Adjudication/Opposition
20 to Defendants Motion for Summary Judgment on February 3, 2006.

21 3. Defendants will submit their Reply in Support of their Motion to Request the Views of the United
22 States on February 3, 2006.

23 4. Defendants will submit their Reply in Support of their Cross Motion for Summary Judgment on
24 February 17, 2006.

1 Dated: January 20, 2006

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4 Respectfully submitted,

5 By /s/
6 Richard Herz

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9 EarthRights International
10 Attorneys for Plaintiffs

11 By /s/
12 Caroline Mitchell

13 JONES DAY
14 Attorneys for Defendants

15 It is so ordered.

16 January , 2006

